

MINUTE ENTRY April 18, 2005
10:00 a.m.

U.S.A. -v- EDWARD MENDIOLA FLEMING

PRESENT: HON. ALEX R. MUNSON, JUDGE PRESIDING
MICHELLE C. MACARANAS, DEPUTY CLERK
SANAE SHMULL, COURT REPORTER
JAMIE BOWERS, ASSISTANT U.S. ATTORNEY
BRUCE BERLINE, ATTORNEY FOR DEFENDANT
EDWARD M. FLEMING, DEFENDANT

PROCEEDINGS: CONDITION OF RELEASE PENDING APPEAL

Defendant Edward Mendiola Fleming appeared with court-appointed counsel, Bruce Berline. Government was represented by Jamie Bowers, AUSA. Also present was U. S. Probation Officer, Margarita Wonenberg.

Court's tentative ruling is to release the defendant on conditions as previously set by the Court. Court ordered the defendant be at liberty with the following conditions:

1. The defendant shall appear at all proceedings as required and to surrender for service of any sentence imposed;
2. The defendant shall report to the U.S. Probation Office for Pretrial supervision services;
3. The defendant shall surrender any passport to the Clerk of Court, U.S. District Court and obtain no passport;
4. The defendant shall abide by the following restrictions on personal association, place of abode, or travel - live at his mother's house on Saipan and not travel to Tinian without permission of the U.S. Probation Office;
5. The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon and not have any in a vehicle or residence;
6. The defendant shall refrain from any use of alcohol;
7. The defendant shall refrain from use or unlawful possession of narcotic drug or other controlled substances defined in 21 U.S.C. Â§802, unless prescribed by a licensed medical practitioner;
8. The defendant shall submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance; and
9. The defendant shall provide the U.S. Marshal with a location map to his Mother's house and provide a contact telephone number.

The defendant is remanded back into the custody of the United States Marshal for processing and to be released upon completion of processing.

adj. 10:10 a.m.,

MICHELLE C. MACARANAS, Deputy Clerk; [MCM EOD 04/18/2005]